



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adoption of Ordinance No. 1568-A entitled, "An Ordinance Adopting the 'Uniform Building Code,' 1991 Edition, and the Secondary Code Referred to Therein, Namely the 'Uniform Building Code Standards,' 1991 Which Codes Regulate the Design, Construction, Quality of Materials, Use and Occupancy, Location and Maintenance of Buildings or Structures in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefore, Providing Penalties for the Violations Thereof: Repealing Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, and 15.04.080 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith"

MEETING DATE: April 7, 1993

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1568-A.

BACKGROUND INFORMATION: Ordinance No. 1568-A entitled, "An Ordinance Adopting the 'Uniform Building Code,' 1991 Edition, and the Secondary Code Referred to Therein, Namely the 'Uniform Building Code Standards,' 1991 Which Codes Regulate the Design, Construction, Quality of Materials, Use and Occupancy, Location and Maintenance of Buildings or Structures in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefore, Providing Penalties for the Violations Thereof: Repealing Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, and 15.04.080 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith" was introduced at the regular meeting of the Lodi City Council held March 17, 1993.

Pursuant to State statute, ordinances may be adopted five days after their introduction following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

AMR/jmp

COUNCOM1/TXTA.02J/COUNCOM

APPROVED _____

THOMAS A. PETERSON
City Manager



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ORDINANCE NO. 1568-A

AN ORDINANCE ADOPTING THE "UNIFORM BUILDING CODE," 1991 EDITION, AND THE SECONDARY CODE REFERRED TO THEREIN, NAMELY THE "UNIFORM BUILDING CODE STANDARDS," 1991 WHICH CODES REGULATE THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE, PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF: REPEALING SECTIONS 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, AND 15.04.080 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 17th day of February, 1993, read the title of the above entitled ordinance and did thereupon schedule a public hearing thereon for March 17, 1993, at the hour of 7:30 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, and 15.04.080 of the Code of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070 and 15.04.080 to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 5-1 of the Code of the City of Lodi to read in full as follows:

Sec. 15.04.010. Adoption. The provisions set forth in the "Uniform Building Code," 1991 Edition, and set forth in the "Uniform Building Code Standards," 1991 Edition, together with appendix Chapters 1, 7, 32, 35, 49, 51, 55, 57 and 70 thereto, are hereby adopted as the Building Code of the City of Lodi. The Building Code of the City of Lodi shall apply to all matters pertaining to the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Lodi, California;

the issuance of building permits and the collection of fees therefor; and the enforcement of the rules and regulations as set forth in said "Uniform Building Code," 1991 Edition and the provisions of the "Uniform Building Code Standards," 1991 Edition, and appendixes thereto.

Section 3. There is hereby adopted a new Section 15.04.020 of the Code of the City of Lodi to read in full as follows:

Revisions, additions and deletions. The revisions, additions and deletions to the code adopted by the preceding section, where are hereby approved by the City Council as exceptions are as follows:

Sec. 15.04.020

UBC CHAPTER 1: Sec. 104(e). Add section--

"No person shall move or cause to be moved any building or structure within the incorporated area of the City of Lodi without first obtaining a moving permit from the Chief Building Inspector. Any such building or structure not fully meeting the requirements of the Building Code shall be repaired or remodeled in conformity with the provisions of this code either at the time of moving or after reaching its destination. In the event that the repair or remodel cannot be done before moving, the owner of the building or structure may, for the purpose of obtaining the moving permit, file with the Building Department a corporate surety bond or cash in an amount equal to the sum of the repair or remodel, said amount as estimated by the Chief Building Inspector; said bond guaranteeing that the repairs or remodel shall be completed within six months from the time of moving. In the event the remodel or repairs have not been completed in the specified time, the Chief Building Inspector shall initiate steps to complete repairs or remodel and apply costs against the forfeited bond.

"Notwithstanding the provisions of this section of the code, if in the opinion of the Chief Building Inspector the building or structure is not suitable for the purposes proposed and/or structurally does not conform to the minimum requirements of this ordinance, a moving permit can be refused.

"A written notice of appeals may be filed as per the allowed time limits for a hearing before the board of appeals of the City of Lodi as per Section 204 of the Building Code of the City of Lodi."

Section 4. There is hereby adopted a new Section 15.04.030 of the Code of the City of Lodi to read as follows:

Section 15.04.030

UBC CHAPTER 2: Sec. 201. Change to read:

"There is hereby established in the City of Lodi a Building Division of the Community Development Department which shall be under the jurisdiction of the Chief Building Inspector designated by the appointing authority, and whenever in this Code reference is made to

'Building Official' it shall mean the Chief Building Inspector of the City of Lodi or his authorized representative."

Section 5. There is hereby adopted a new Section 15.04.040 of the Code of the City of Lodi to read as follows:

Section 15.04.040

UBC CHAPTER 2: Sec. 204(a) Change to read:

"In order to determine the suitability of alternate materials and types construction and to provide for reasonable interpretations of this code, the City Council shall sit as a board of appeals. The Chief Building Inspector shall be an ex-officio member and shall act as secretary of the board. Three members present shall constitute a quorum and no act of the board shall be valid unless a majority of the full board shall concur therein.

"The board of appeals shall adopt reasonable rules and regulations for conducting a meeting and investigations and shall render a decision and findings in duplicate. A copy will go to the Chief Building Inspector with the other copy to the applicant."

Section 6. There is hereby adopted a new Section 15.04.050 of the Code of the City of Lodi to read in full as follows:

Section 15.04.050

UBC CHAPTER 3: Sec. 304 Sub. (a). Change paragraph 1 to read:

"Building Permit Fees. A fee for each building permit required by this Code shall be paid to the City of Lodi as set forth in Table No. 3-A, as modified herein. Fees shall be paid prior to permit issuance.

TABLE NO. 3-A

TOTAL VALUATION		FEES
\$	1.00 to \$ 500	\$20.00
\$	501 to 2,000	\$20.00 for the first \$500 plus \$2.00 each additional \$100 or fraction thereof, to and including \$2,000.
\$	2,001 to \$ 25,000	\$50.00 for the first \$2,000 plus \$10.00 for each additional thousand or fraction thereof to and including \$25,000.

\$ 25,001 to \$ 50,000	\$280 for the first \$25,000 plus \$7.25 for each additional thousand or fraction thereof, to and including \$50,000.
\$ 50,001 to \$ 100,000	\$461.25 for the first \$50,000 plus \$5.00 for each additional thousand, or fraction thereof, to and including \$100,000.
\$ 100,001 to \$1,000,000	\$711.25 for the first \$100,000 plus \$3.90 for each additional thousand or fraction thereof.
\$1,000,000 and up	\$4,221.25 for the first \$1,000,000 plus \$2.80 for each additional thousand or fraction thereof.

OTHER INSPECTION FEES AND REFUNDS:

1. Inspections outside of normal business hours \$40.00 per Hr.
(Minimum charge - 3 hours)
2. Reinspection fee assessed under provision
of Section 305 (g) \$30.00 each
3. Inspection for which no fee is specifically
indicated \$30.00 per Hr.
4. Additional plan review required by changes,
additions or revisions to approved plans . . \$30.00 per Hr.
(Minimum charge - one-half hour)
5. Special inspections required by owners, real estate
agencies, or loan agencies to determine compliance
to the Building Code in effect at the time of
construction:

First hour	\$80.00
Each additional hour	\$30.00
6. Refunds on all permits shall be subject to a \$35.00
administrative processing fee.
7. Board of Appeals Fee \$250.00

Section 7. There is hereby adopted a new Section 15.04.060 of the Code of the City of Lodi to read as follows:

Section 15.04.060

UBC CHAPTER 5: Sec. 504.

Table No. 5A - Wall and Opening Protection of Occupancies Based on Location of Property - change to read:

"Group A, B, E, H, and I Occupancies: Fire Resistance of Exterior Walls.

"Exterior walls of 11 One-hour, 11-N and Type V construction shall be of four-hour fire-resistive construction when they are closer than five feet (5') to the property line with no openings permitted."

Section 8. There is hereby adopted a new Section 15.04.070 of the Code of the City of Lodi to read as follows:

Section 15.04.070

UBC CHAPTER 25: Sec. 2516 (c) 2. Underfloor Clearance. Change first paragraph to read:

"When wood joists, girders, or the bottom of wood structural floors without joists are located closer than 18 inches to exposed ground in crawl spaces or unexcavated areas located within the periphery of the building foundation, the floor assembly, including posts, girders, joists and subfloor, shall be approved wood of natural resistance to decay as listed in Section 2516 (c) 3 or treated wood."

Section 9. There is hereby adopted a new Section 15.04.080 of the Code of the City of Lodi to read as follows:

Section 15.04.080

UBC CHAPTER 29: Sec. 2907 (a). Add third paragraph:

"Concrete or masonry shall not be poured or set against wood, such as exterior porch, patio slab or concrete steps; the foundation height shall be increased sufficiently to insure concrete to concrete contact and any substitute shall have the specific approval of the Chief Building Inspector."

Section 10. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

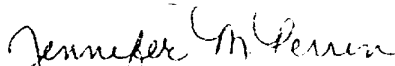
Section 11. This ordinance shall be published one time in the "Lodi News Sentinel," a newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect thirty days after its passage.

Approved this 7th day of April 1993



PHILLIP A. PENNINO
Mayor

Attest:




JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1568-A was introduced at a regular meeting of the City Council of the City of Lodi held March 17, 1993 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 7, 1993 by the following vote:


Ayes:	Council Members - Davenport, Mann, Sieglock, Snider and Pennino (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1568-A was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN
City Clerk

Approved as to Form



BOBBY W. McNATT
City Attorney